IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

-

WRIT PETITION NO : 7818 of 2005

Between:

Sana Prasad, S/o. Raja Rao,
Vice President, U.Kothapalli Gram

Panchayat, U.Kothapalli Mandal,

East Godavari District.

..... PETITIONER

AND

1. The District Collector (Panchayat Dept),

East Godavari District at Kakinada.

2. The Mandal Parishad Development Officer,

U.Kothapalli Mandal, East Godavari District.

3. Mandal Revenue Officer, U.Kothapalli Mandal,

East Godavari District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction, preferably one in the nature of writ of Mandamus, declaring the action of the Respondents in taking steps to proceed with the construction of Office building of M.R.O. of U.Kothapalli, East Godavari Dist, in

Sy.No.88/1of Vokathippa Village, U.Kothapalli Mandal, E.G.Dist, as arbitrary, illegal and contrary to law and consequently direct the respondents to proceed with the construction of Office building of Mandal Revenue Office, of U.Kothapalli, E.G.Dist in Sy.No.1 of U.Kothapalli Village, U.Kothapalli Mandal, E.G.District forthwith.

Counsel for the Petitioner: MR.M.PRASADA RAO

Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court made the following:

ORDER:

This writ petition is filed seeking writ of Mandamus to declare the action of the respondents in taking steps to proceed with the construction of office building of Mandal Revenue Officer in U.Kothapalli, East Godavari District, in survey No.88/1 of Vokathippa village, U.Kothapalli Mandal, East Godavari District, as arbitrary and illegal.

2. It is the submission of the learned counsel for the petitioner, earlier when there was a move for construction of office of the Mandal Revenue Office, a writ petition was filed before this Court. The Mandal Revenue Officer has filed affidavit to the effect that steps are being taken for construction of the office of the Mandal Revenue Officer, U.Kothapalli Mandal. But contrary to the same, the respondents are trying to proceed with the construction of Mandal Revenue Office in the land in survey No.88/1 of Vokathippa village.

3. It is submitted by the learned Government Pleader appearing for the respondents now decision is taken to construct all the government offices in survey No.88/1 of Vokathippa village. In that view of the matter the Mandal Revenue Office is being constructed in survey No.88/1. It is for the respondents to decide the same. Having regard to the convenience of the villagers and availability of the land etc., the petitioner cannot question the decision of the respondents for construction of the mandal office in a particular place. It is for the respondents to decide the same by taking into consideration the convenience of the villagers and also taking into advantage, the feasibility and practicability for all purposes and in that view of the

matter I do not find any merit in the writ petition to interfere and the writ petition is devoid of merits.

4. The writ petition is, accordingly, dismissed. No costs.

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R.SUBHASH REDDY,J.

Date: 28th April 2005.

BSB

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The District Collector (Panchayat Dept),

East Godavari District at Kakinada.

2. The Mandal Parishad Development Officer,

U.Kothapalli Mandal, East Godavari District.

3. Mandal Revenue Officer, U.Kothapalli Mandal,

East Godavari District.

4. Two CCs to the Government Pleader for Panchayat Raj & Rural

Development, High Court of A.P., Hyderabad (OUT)

5. Two CD copies